

## CHAPTER 711

### ROBBERY AND EXTORTION

Referred to in §331.307, 364.22, 701.1, 723A.1

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#### 711.1 Robbery defined.

1. A person commits a robbery when, having the intent to commit a theft, the person does any of the following acts to assist or further the commission of the intended theft or the person's escape from the scene thereof with or without the stolen property:

- a. Commits an assault upon another.
- b. Threatens another with or purposely puts another in fear of immediate serious injury.
- c. Threatens to commit immediately any forcible felony.

2. It is immaterial to the question of guilt or innocence of robbery that property was or was not actually stolen.

[C51, §2578; R60, §4201; C73, §3858; C97, §4753; C24, 27, 31, 35, 39, §13038; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §711.1]

2013 Acts, ch 30, §205

[P] Definition of forcible felony, §702.11

[T] Section amended

#### 711.2 Robbery in the first degree.

A person commits robbery in the first degree when, while perpetrating a robbery, the person purposely inflicts or attempts to inflict serious injury, or is armed with a dangerous weapon. Robbery in the first degree is a class "B" felony.

[C51, §2579; R60, §4202; C73, §3859; C97, §4754; C24, 27, 31, 35, 39, §13039; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §711.2]

Referred to in §714.3A, 902.12

[P] Definition of forcible felony, §702.11

#### 711.3 Robbery in the second degree.

All robbery which is not robbery in the first degree is robbery in the second degree. Robbery in the second degree is a class "C" felony.

[C51, §2580; R60, §4203; C73, §3860; C97, §4755; C24, 27, 31, 35, 39, §13040; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §711.3]

Referred to in §714.3A, 902.12

[P] Definition of forcible felony, §702.11

#### 711.4 Extortion.

1. A person commits extortion if the person does any of the following with the purpose of obtaining for oneself or another anything of value, tangible or intangible, including labor or services:

- a. Threatens to inflict physical injury on some person, or to commit any public offense.
- b. Threatens to accuse another of a public offense.
- c. Threatens to expose any person to hatred, contempt, or ridicule.
- d. Threatens to harm the credit or business or professional reputation of any person.
- e. Threatens to take or withhold action as a public officer or employee, or to cause some public official or employee to take or withhold action.
- f. Threatens to testify or provide information or to withhold testimony or information with respect to another's legal claim or defense.
- g. Threatens to wrongfully injure the property of another.

2. Extortion is a class "D" felony.

3. It is a defense to a charge of extortion that the person making a threat other than a threat to commit a public offense, reasonably believed that the person had a right to make

such threats in order to recover property, or to receive compensation for property or services, or to recover a debt to which the person has a good faith claim.

[C51, §2590; R60, §4213; C73, §3871; C97, §4767; S13, §4767; C24, 27, 31, 35, 39, §13164; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §720.1; C79, 81, §711.4]

2013 Acts, ch 90, §231

Referred to in §714.3A

[T] Section amended

#### **711.5 Chapter — application.**

This chapter does not apply if section 714.3A applies.

2010 Acts, ch 1125, §1